

July 1, 2013

From: SHALSHELES BAIS YAAKOV  
4421 15th Ave  
Brooklyn, NY 11219  
(718) 436 - 1122

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JUL 10 2013

FCC Mail Room

To: Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

471 App. 847291  
FRNs 2301542, 2301532, 2301533 and 2301541

To Whom It May Concern

Form 471 # 847291 was originally denied on 01/03/2013 because USAC claimed that "Applicant has not provided sufficient documentation needed to determine the eligibility of the following item(s): applicant failed to provide vendor documentation to support request of equipment request on item 21."

We appealed this decision because we were not aware of any request by USAC asking for provide vendor documentation to support request of equipment request on item 21. During the appeal we sent the documentation to support request of equipment request on item 21. We also got more questions with a response date of April 29, 2013. On April 29 we faxed our response that addressed all questions.

We got a letter dated May 09, 2013 that approved some of the FRNs, however FRNs 2301542, 2301532, 2301533 and 2301541 were denied because the letter claims that USAC did not receive our response of April 29. When we faxed the response we got a confirmation that the fax transmission was successful.

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We are including our response of April 29 and we are hopeful that the FCC can overturn the USAC denial.

Thanks,

A handwritten signature in black ink, appearing to be 'M. Brisk', written over the printed name.

Mrs. Brisk, Director

April 29, 2013

From: SHALSHELES BAIS YAAKOV  
4421 15th Ave  
Brooklyn, NY 11219  
(718) 436 - 1122

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To: Jennifer Baumann  
Program Compliance  
USAC, Schools and Libraries Division  
Phone: 973-581-6726  
Fax: 973-599-6525  
E-mail: jbauman@sl.universalservice.org

471 Application # 847291

I.

Based on documentation that you provided during the review of your Funding Year 2012 FCC Form 471 847291, we have determined that FRN 2301547 includes ineligible items. According to Program rules, USAC is unable to fund ineligible products or services. The charges associated with ineligible items must be identified and removed from the funding request. Listed below are the ineligible items and their associated costs:

**Communication Assistant Pro 10- License \$1868.54**  
**Communication Assistant ACD Monitor (Supervisor) \$880.74**  
**Communication Assistant Operator Console \$1714.50**  
**CA Network Plugin 10 Key \$2054.92**  
**SoftPhone/IP-PT Activation 16 Channel \$5638.82**  
**Installation & Program \$2188.35 (29.48972% of \$7420.73)**

Please confirm that you agree with the cost allocation and that the ineligible item(s) should be removed from the FRN. Yes

II.

Based on the documentation that you provided during the review of your Funding Year 2012 FCC Form 471 application 847291, we intend to modify FRN 2301547 to change the pre-commitment funding request. The pre-commitment funding request has been changed from \$48,647.02 to \$34,301.15.

We are providing you with an opportunity to confirm that your original response(s) that was the basis for this change is correct. Please confirm that this change(s) listed above should be undertaken. Yes

III.

For FRN 2301547, please provide the function of this system and why is this system needed in addition to the main PBX. Please provide a detailed response.

Please cancel this FRN

IV.

Based on documentation that you provided during the review of your Funding Year 2012 FCC Form 471 847291, we have determined that FRN 2301548 includes ineligible items. According to Program rules, USAC is unable to fund ineligible products or services. The charges associated with ineligible items must be identified and removed from the funding request. Listed below are the ineligible items and their associated costs:

***Communication Assistant Pro 10- License \$1868.54***

***Communication Assistant ACD Monitor (Supervisor) \$880.74***

***Communication Assistant Operator Console \$1714.50***

***CA Network Plugin 10 Key \$2054.92***

***SoftPhone/IP-PT Activation 16 Channel \$5638.82***

***\*\*These ineligibles equate to 0.294897261% of FRN 2301547 and therefore this % of FRN 2301548 is \$2,151.88 ineligible***

Please confirm that you agree with the cost allocation and that the ineligible item(s) should be removed from the FRN. Yes

V.

Based on the documentation that you provided during the review of your Funding Year 2012 FCC Form 471 application 847291, we intend to modify FRN 2301548 to change the pre-commitment funding request. The pre-commitment funding request has been changed from \$7,297.05 to \$5,145.17.

We are providing you with an opportunity to confirm that your original response(s) that was the basis for this change is correct. Please confirm that this change(s) listed above should be undertaken. Yes

VI.

For FRN 2301548, please provide the function of this system and why is this system needed in addition to the main PBX. Please provide a detailed response.

Please cancel this FRN.

VII.

Based on documentation that you provided during the review of your Funding Year 2012 FCC Form 471 847291, we have determined that FRN 2301543 includes ineligible items. According to Program rules, USAC is unable to fund ineligible products or services. The charges associated with ineligible items must be identified and removed from the funding request. Listed below are the ineligible items and their associated costs:

***Activation Key for Enhanced Software for KX-TDE600 \$2052.73***  
***Installation & Program \$291.67 (14.208752% of \$2052.73)***

Please confirm that you agree with the cost allocation and that the ineligible item(s) should be removed from the FRN. Yes

VIII.

Based on the documentation that you provided during the review of your Funding Year 2012 FCC Form 471 application 847291, we intend to modify FRN 2301543 to change the pre-commitment funding request. The pre-commitment funding request has been changed from \$17,047.39 to \$14,702.99.

We are providing you with an opportunity to confirm that your original response(s) that was the basis for this change is correct. Please confirm that this change(s) listed above should be undertaken. Yes

IX.

Based on documentation that you provided during the review of your Funding Year 2012 FCC Form 471 847291, we have determined that FRN 2301546 includes ineligible items. According to Program rules, USAC is unable to fund ineligible products or services. The charges associated with ineligible items must be identified and removed from the funding request. Listed below are the ineligible items and their associated costs:

**Activation Key for Enhanced Software for KX-TDE600 \$2052.73**

***\*\*This ineligible equates to 0.142087529% of FRN 2301543 and therefore this % of FRN 2301546 is \$363.33 ineligible***

Please confirm that you agree with the cost allocation and that the ineligible item(s) should be removed from the FRN. Yes

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X.

Based on the documentation that you provided during the review of your Funding Year 2012 FCC Form 471 application 847291, we intend to modify FRN 2301546 to change the pre-commitment funding request. The pre-commitment funding request has been changed from \$2,557.11 to \$2,193.78.

We are providing you with an opportunity to confirm that your original response(s) that was the basis for this change is correct. Please confirm that this change(s) listed above should be undertaken. Yes

XI.

For FRN 2301532, what server(s) is this equipment used with? Please provide a detailed response.

This will support the three servers of FRN 2301535.

XII.

For FRN 2301533, what server(s) is this equipment used with? Please provide a detailed response.

This will support the three servers of FRN 2301535.

XIII.

For FRN 2301541, the documentation provided in the Item 21 Attachments included possible ineligible items in your Tda200 PBX:

Please answer the following:

What is the make and model number of the PBX? •  
Panasonic KX-TDE600

The following components are not eligible. Please provide the costs associated if these components are included in your request. •

Telephone Handsets	\$ .00 - Not included
Automatic Call Distribution (ACD)	\$ .00 - Not included
Music-on-Hold	\$ .00 - Not included
Intercom Components	\$ .00 - Not included
Paging Components	\$ .00 - Not included

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Only one console was included. •

XIV.

For FRN 2301542, the documentation provided in the Item 21 Attachments included possible ineligible items in your Tda200 PBX:

Please answer the following:

What is the make and model number of the PBX? •  
Panasonic KX-TDE600

The following components are not eligible. Please provide the costs associated if these components are included in your request. •

Telephone Handsets	\$ .00 - Not included
Automatic Call Distribution (ACD)	\$ .00 - Not included
Music-on-Hold	\$ .00 - Not included
Intercom Components	\$ .00 - Not included
Paging Components	\$ .00 - Not included

Only one console was included.

Blimie Fink

The following components are not eligible. Please provide the costs associated if these components are included in your request. •

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Telephone Handsets	\$ .00 - Not included
Automatic Call Distribution (ACD)	\$ .00 - Not included
Music-on-Hold	\$ .00 - Not included
Intercom Components	\$ .00 - Not included
Paging Components	\$ .00 - Not included

Only one console was included. •

XIV.

For FRN 2301542, the documentation provided in the Item 21 Attachments included possible ineligible items in your Tda200 PBX:

Please answer the following:

What is the make and model number of the PBX? •  
Panasonic KX-TDE600

The following components are not eligible. Please provide the costs associated if these components are included in your request. •

Telephone Handsets	\$ .00 - Not included
Automatic Call Distribution (ACD)	\$ .00 - Not included
Music-on-Hold	\$ .00 - Not included
Intercom Components	\$ .00 - Not included
Paging Components	\$ .00 - Not included

Only one console was included.

  
Mrs. Brisk